IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 516 OF 2006

Lalmani Ramkishor Sharma.] .. Petitioner

Versus

1. Municipal Corpn. of Gr. Mumbai & ors] .. Respondents

Mr. N.R. Bubna for the petitioner.

Ms. T.H. Puranik for the respondents.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ.

DATED: 16TH MARCH, 2006

P.C. :

. Rule. Heard forthwith.

2. The petitioner had approached this Court on the ground that the pensionary benefits paid to him had been calculated erroneously and that deductions were made which could not have been done. Learned counsel points out that after the Petition was filed, petitioner has received copy of the communication addressed by the New Sion Municipal Secondary School to the Administrator, Schools Division of the Bombay Municipal Corporation. From that letter, it appears that

attention of the Administrator is invited to the re-fixation of the pay of the petitioner herein. This was done without hearing the petitioner. It is also pointed out that a punishment which was imposed by way of one increment was temporary and could not have been treated as permanent. Considering the above, the present Petition can be disposed of by issuing the following directions:

(i) Petitioner to make a representation to the concerned Division of the Municipal Corporation setting out his grievance within two weeks from today.

(ii) On receipt of such representation, the Municipal Corporation to dispose of the same by a speaking order within six weeks thereafter.

(iii) If the petitioner’s representation is accepted, then to recalculate his pensionary benefits and pay him what he is entitled to according to law and accordingly make

necessary entries in the Pension Book of the petitioner herein.

3. Rule made absolute accordingly. There shall be no order as to costs.

Sd/-
[F.I. REBELLO, J.]

Sd/-
[ANOOP V. MOHTA, J.]